

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ALISON M. PLAHITKO,)	
)	
Plaintiff,)	
)	
v.)	No. 1:25-cv-00468-RLY-KMB
)	
COMMUNITY HEALTH NETWORK, INC.,)	
)	
Defendant.)	

INITIAL PRETRIAL CONFERENCE SCHEDULING ORDER
U.S. MAGISTRATE JUDGE KELLIE M. BARR

This case is scheduled for an Initial Pretrial Conference **by Zoom on June 10, 2025, at 10:30 a.m. (Eastern Time)**, before United States Magistrate Judge Kellie M. Barr. The Court will contact counsel by separate email with information to be used to participate in the conference. **Read this entire order carefully—it sets out expectations for the conference as well as the undersigned's typical Practices & Procedures.**

Who must attend the Initial Pretrial Conference (“IPTC”)

- Counsel who participate in the IPTC must have thorough knowledge of the case, must have an appearance on file, and must be registered for CM/ECF.
- Clients are not required (but are permitted) to participate in this conference.

Rule 26(f) Conference

- An IPTC is not a substitute for the conference required by Fed. R. Civ. P. 26(f). In addition to and in advance of their submission of a proposed case management plan (see below), counsel must confer and plan for discovery as required by Fed. R. Civ. P. 26(f)(2) and (3).

- The Court will not require adherence to the conference timing provisions of Fed. R. Civ. P. 26(f)(1), as long as the conference is completed in addition to and in advance of submission of the proposed case management plan as set forth below.
- Submission of a written report of the Rule 26(f) conference, as provided by section (f)(2), is not required, but counsel should expect to provide an oral report at the IPTC.

Proposed Case Management Plan (“CMP”)

- **At least seven days before** the IPTC, counsel must file a proposed CMP that all counsel have approved.
- The general format for the CMP is provided by the Court’s uniform CMP, which can be found on the Court’s website (www.insd.uscourts.gov) and shall be closely adhered to unless counsel can explain a good reason to deviate from it.
- With regard to the discovery of electronically-stored information (“ESI”), every CMP must include, **at a minimum**, (1) a statement of the format in which ESI will be produced (including whether the production will include metadata), (2) a description of any other ESI issues the Parties believe may be relevant to discovery in the case, and (3) a clawback provision.
- When a substantial volume of ESI is expected, counsel shall also submit the ESI Supplement to the uniform CMP, which can be found on the Court's website (www.insd.uscourts.gov).

Items that Counsel Should be Able to Address with Specificity at the IPTC

- All factual and legal matters pertinent to claims, defenses, and damages.
- The nature and scope of discovery, including any particular issues counsel anticipate.

- Settlement possibility, including identification of key discovery necessary for the Parties to evaluate the case for settlement purposes.
- Whether expert witnesses will be used and, if so, how many and what type.
- The need for a stipulated protective order.


Judge Barr's Typical Practices & Procedures

- IPTCs are typically conducted via Zoom and subsequent status conferences are typically conducted via telephone.
- Settlement Conferences may be conducted either by Zoom or in person at a federal courthouse in the District. Judge Barr relies on counsel to help determine the location and timing that would be most effective for resolving a case at a Settlement Conference. Parties are welcome to engage in private mediation should they prefer to do so.
- After conferring in good faith to attempt to resolve any discovery dispute, counsel shall promptly bring any unresolved discovery dispute to Judge Barr's attention pursuant to Local Rule 37-1. An "Order Regarding Discovery Disputes" will be entered after the IPTC to further emphasize this requirement. Any discovery disputes that are already anticipated or questions about this process should be raised by counsel at the IPTC.
- Judge Barr recognizes a growing nationwide trend in which there are fewer oral argument opportunities for counsel in federal civil cases. To support the continued development of future generations of practitioners through oral argument experience—especially practitioners who have been practicing for less than seven (7) years—Judge Barr has adopted oral argument procedures for all motions in full-consent cases and for specific motions referred to her by the District Judge or to which all Parties consent to her ruling on in non-consent cases. More information can be found on the Court's website at

<https://www.insd.uscourts.gov/content/magistrate-judge-kellie-m-barr> ("Experience for
Newer Attorneys in Civil Cases").

So ORDERED.

Date: 4/21/2025


Kellie M. Barr
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email